

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG LEK
)	
Plaintiff,)	DECLARATION OF ANN YUUKI;
)	EXHIBIT "3"
v.)	
)	
MICHAEL CHERTOFF, Secretary,)	
DEPARTMENT OF HOMELAND)	
SECURITY,)	
)	
Defendant.)	
)	
)	

DECLARATION OF ANN YUUKI

I, ANN YUUKI, hereby declare as follows:

1. I am a Paralegal Specialist at the United States Attorney's Office - District of Hawaii. I make this declaration under the instructions of Assistant United States Attorney Thomas A. Helper, and data from the Transportation Security Administration ("TSA").

2. I have produced the spreadsheet attached as Exhibit 3 in order to determine the amount of interest lost by Raymond Ware as a result of his nonpromotion. I used the Excel spreadsheet program as follows. Column C shows the amount of lost pay for Mr. Ware for each two-week pay period, using figures from the "Retro Payroll Calc Summary Sheet" provided to me by TSA. Column D shows the accumulated loss at the end of each pay period. For the first pay period for the first biweekly pay period for which Mr. Ware lost pay (the period from 10/19/03 to

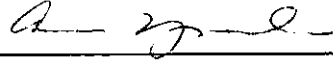
11/1/03), the accumulated loss is \$131.17. I multiplied Column D by an interest factor. Column E shows the annual interest rate from the relevant period, taken from the website at www.moed.uscourts.gov/financial/postjudgmentinterestrate.asp. Where the website gives different annual interest rates for the two weeks in question, I used the higher rate. Column F shows the annual interest rate divided by 26, to reflect that the calculation is of interest lost for a two week period. I then multiplied the accumulated loss (Column D) by the biweekly interest rate Column F. This produced the lost interest for the pay period (Column G).

I then performed a similar calculation for each successive pay period. I obtained the new accumulated loss figure in Column D by taking the accumulated loss figure from the previous pay period and adding the lost interest from previous pay period (Column G) and the lost wages from the new pay period from the "Retro Payroll Calc Summary Sheet", as shown in column C. I performed the same calculation on this figure as described above, multiplying it by the interest rate in Column F to produce the lost interest for the pay period in Column G. I continued this process through the end of June, 2008.

3. Using the procedures outlined above, the spreadsheet indicates that the total interest lost by Mr. Ware from October 19, 2003 to June 7, 2008 was \$22,853.30.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 5, 2008, at Honolulu, Hawaii.



ANN YUUKI